

## **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application.

1. (Previously Presented) A cavity wall construction comprising:

    a first wall;

    a second wall generally parallel to and spaced from the first wall;

    wherein the second wall is comprised of courses of masonry units held together with mortar;

    an opening in the first and second walls, the opening including spaced jambs on opposite sides of the opening separated by a header atop the opening;

    a frame sized and configured to fit within the opening;

    at least one surround device positioned at a juncture between the frame and one of the jambs and the header of the opening, a first leg of each surround device being juxtaposed to an outer face of the first wall and a second leg of each surround device being juxtaposed to the frame at one of the jambs and the header of the opening to thereby provide a transition from the frame to the second wall;

    a terminal end portion on the second leg of the surround device; and

    at least one frangible joint connecting the terminal end portion to a remainder of the second leg, the second leg being more readily broken at the frangible joint than at the remainder of the second leg;

wherein the terminal end portion is adapted to be removed along the frangible joint and thereby reveal a recess at a juncture adjacent to the frame, the remainder of the second leg and one of the jambs and the header of the opening.

2. (Cancelled)

3. (Previously Presented) The cavity wall construction of claim 1 further comprising:

a bead of caulk positioned in the recess and sealing the juncture between the frame and the second wall.

4. (Original) The cavity wall construction of claim 1 wherein the first and second legs are generally perpendicular to each other.

5. (Cancelled)

6. (Original) The cavity wall construction of claim 1 wherein the opening is one of a window opening and a door opening and the frame is one of a window frame and a door frame.

7. (Previously Presented) A cavity wall construction comprising:

a first wall;

a second wall generally parallel to and spaced from the first wall;

wherein the second wall is comprised of courses of masonry units held together with mortar;

an opening in the first and second walls, the opening including spaced jambs on opposite sides of the opening separated by a header atop the opening;

a frame sized and configured to fit within the opening; and

at least one surround device positioned at a juncture between the frame and one of the jambs and the header of the opening, a first leg of each surround device being juxtaposed to an outer face of the first wall and a second leg of each surround device being juxtaposed to the frame at one of the jambs, the second wall, and the header of the opening to thereby provide a transition from the frame to the second wall;

wherein the second leg of the surround device includes a terminal end portion and a frangible connection joining the terminal end portion to a remainder of the second leg;

wherein the terminal end portion is adapted to be removed along the frangible connection and thereby reveal a recess at a juncture adjacent to the frame, the remainder of the second leg, the second wall, and one of the jambs and the header of the opening;

wherein the second leg is a closed cell foam material and the frangible connection comprises perforations in the closed cell foam material.

8. (Cancelled)

9. (Original) The cavity wall construction of claim 1 wherein the first and second legs are of dissimilar materials bonded together.

10. (Cancelled)

11. (Cancelled)

12. (Previously Presented) A surround device adapted to be mounted to a wall adjacent an opening in the wall and provide a transition to a frame mounted in the opening, the surround device comprising:

    a first leg being adapted for mounting to an outer face of the wall adjacent to the opening; and

    a second leg being adapted to be juxtaposed to the frame and the wall to thereby provide a transition from the frame to the wall;

a terminal end portion on the second leg of the surround device; and

    at least one frangible joint connecting the terminal end portion to a remainder of the second leg, the second leg being more readily broken at the frangible joint than at the remainder of the second leg;

    wherein the terminal end portion is adapted to be removed along the frangible joint and thereby reveal a recess at a juncture adjacent to the frame, the wall, and the remainder of the second leg.

13. (Cancelled)

14. (Cancelled)

15. (Original) The device of claim 12 wherein the first and second legs are generally perpendicular to each other.

16. (Previously Presented ) A surround device adapted to be mounted to a wall adjacent an opening in the wall and provide a transition to a frame mounted in the opening, the surround device comprising:

    a first leg being adapted for mounting to an outer face of the wall adjacent to the opening; and

    a second leg being adapted to be juxtaposed to the frame and the wall to thereby provide a transition from the frame to the wall;

    wherein the second leg includes a terminal end portion and a frangible connection joining the terminal end portion to a remainder of the second leg;

    wherein the terminal end portion is adapted to be removed along the frangible connection and thereby reveal a recess at a juncture adjacent to the frame and the remainder of the second leg;

    wherein the second leg is a closed cell foam material and the frangible connection comprises perforations in the closed cell foam material.

17. (Cancelled)

18. (Original) The device of claim 12 wherein the first and second legs are of dissimilar materials bonded together.

19. (Cancelled)

20. (Cancelled)

21. (Cancelled)

22. (Cancelled)

23. (Cancelled)

24. (Cancelled)

25. (Previously Presented) A cavity wall construction comprising:

    a first wall;

    a second wall generally parallel to and spaced from the first wall;

    wherein the second wall is comprised of courses of masonry units held together with mortar;

an opening in the second wall; and  
a frame sized and configured to fit within the opening; and  
a generally L-shaped device having a first leg and a second leg, the first leg of the device being juxtaposed to a face of one of the walls and a second leg of the device being inserted into the opening to thereby span the opening in the second wall and be juxtaposed against the frame and the second wall;  
a terminal end portion on the second leg of the surround device; and  
at least one frangible joint connecting the terminal end portion to a remainder of the second leg, the second leg being more readily broken at the frangible joint than at the remainder of the second leg;  
wherein the terminal end portion is adapted to be removed along the frangible joint and thereby reveal a recess at a juncture adjacent to the frame, the remainder of the second leg, the second wall, and one of the jambs and the header of the opening.

26. (Cancelled)

27. (Previously Presented) The cavity wall construction of claim 25 further comprising:  
a bead of caulk positioned in the recess and sealing the juncture between the remainder of the second leg and the second wall.

28. (Previously Presented) The cavity wall construction of claim 25 wherein the opening is one of a window opening and a door opening.

29. (Previously Presented) A cavity wall construction comprising:

a first wall;

a second wall generally parallel to and spaced from the first wall;

wherein the second wall is comprised of courses of masonry units held together with mortar;

an opening in the second wall; and

a frame sized and configured to fit within the opening; and

a generally L-shaped device having a first leg and a second leg, the first leg of the device being juxtaposed to a face of one of the walls and a second leg of the device being inserted into the opening to thereby span the opening in the second wall and be juxtaposed against the frame and the second wall;

wherein the second leg of the device includes a terminal end portion and a frangible connection joining the terminal end portion to a remainder of the second leg;

wherein the terminal end portion is adapted to be removed along the frangible connection and thereby reveal a recess at a juncture adjacent to the remainder of the second leg, the second wall and the opening;

wherein the second leg is a closed cell foam material, the frangible connection comprises perforations in the closed cell foam material and the first and second legs are of dissimilar materials bonded together.

30. (Previously Presented) The cavity wall construction of claim 25 wherein the first leg is mounted to an outer face of the first wall.

31. (Previously Presented) A cavity wall construction comprising:

    a first wall;

    a second wall generally parallel to and spaced from the first wall;

    wherein the second wall is comprised of courses of masonry units held together with mortar;

    an opening in the second wall; and

    a generally L-shaped device having a first leg and a second leg, the first leg of the device being juxtaposed to a face of one of the walls and a second leg of the device being inserted into the opening to thereby span the opening in the second wall;

    wherein the second leg of the device includes a terminal end portion and a frangible connection joining the terminal end portion to a remainder of the second leg;

    wherein the terminal end portion is adapted to be removed along the frangible connection and thereby reveal a recess at a juncture adjacent to the remainder of the second leg, the second wall, and the opening;

    wherein the second leg further comprises a plurality of the frangible connections spaced from one another, each adapted to be severed to remove the terminal end portion of the second leg.

32. (Previously Presented) The cavity wall construction of claim 1 wherein the terminal end portion is generally coplanar with the remainder of the second leg.

33. (Previously Presented) The cavity wall construction of claim 1 wherein the second leg further comprises a plurality of the frangible joints spaced from one another, each adapted to be severed to remove the terminal end portion of the second leg.

34. (Previously Presented) The cavity wall construction of claim 1 wherein the frangible joint comprises perforations in the second leg.

35. (Previously Presented) The device of claim 12 wherein the terminal end portion is generally coplanar with the remainder of the second leg.

36. (Previously Presented) The device of claim 12 wherein the second leg further comprises a plurality of the frangible joints spaced from one another, each adapted to be severed to remove the terminal end portion of the second leg.

37. (Previously Presented) The device of claim 12 wherein the frangible joint comprises perforations in the second leg.

38. (New) The device of claim 1 wherein the second leg of each surround device is juxtaposed against and in contact with the second wall.

39. (New) The cavity wall construction of claim 31, further comprising:  
a frame sized and configured to fit within the opening;  
wherein the second let is juxtaposed against and in contact with the  
frame and the second wall.